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UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

EDWARDS LIFESCIENCES
 CORPORATION, a Delaware
 corporation, and EDWARDS
 LIFESCIENCES LLC, a Delaware
 corporation

Plaintiffs,

v.

ABBOTT CARDIOVASCULAR
 SYSTEMS, INC., a California
 corporation, ABBOTT
 LABORATORIES, INC., a Delaware
 Corporation, and EVALVE, INC., a
 Delaware Corporation,

Defendants.

ABBOTT CARDIOVASCULAR
 SYSTEMS, INC., a California
 corporation, ABBOTT
 LABORATORIES, INC., a Delaware
 Corporation, and EVALVE, INC., a
 Delaware Corporation,

Counterclaimants,

v.

EDWARDS LIFESCIENCES
 CORPORATION, a Delaware
 corporation, and EDWARDS
 LIFESCIENCES LLC, a Delaware
 corporation,

Counterclaim-Defendants.

Case No. 8:19-cv-345-JLS-JDE

**JOINT REPORT RE: TERMS IN
 JOINT CLAIM CONSTRUCTION
 STATEMENT STILL REQUIRING
 CONSTRUCTION**

Hon. Josephine L. Staton
 Magistrate Judge John D. Early

Pursuant to the Court's order (Dkt. 112 at 3), Plaintiffs and Counterclaim-Defendants Edwards Lifesciences Corporation and Edwards Lifesciences LLC ("Edwards") and Defendants and Counterclaimants Abbott Cardiovascular Systems, Inc., Abbott Laboratories, Inc., and Evalve, Inc. ("Abbott"), advise that Edwards's withdrawal of its infringement allegations with respect to all claims challenged in Abbott's *inter partes* reviews obviates the need to construe the term "suturing means" in the parties' Joint Claim Construction Statement (Dkt. 60). The disputed terms that still require construction are listed below. The parties have listed the terms in the order that they appear in the Joint Claim Construction Prehearing Statement, Exhibit B.

1. **"closed state"** ('669 patent: claims 6, 12, 13, 16; '313 patent: claims 1, 2, 4)
2. **"formed from"** ('669 patent: claim 12; '313 patent: claim 2)
3. **"biased towards" terms** ('669 patent: claims 6, 13; '313 patent: claim 2)
4. **"a first member configured to ..."; "a second member configured to ..."** ('669 patent: claim 6)
5. **"wherein each arm is unattached at said second end thereof"** ('313 patent: claim 1)
6. **"attachment feature"** ('313 patent: claim 10)
7. **"pivotally connected to each other at said first ends"** ('313 patent: claim 1)
8. **"puncturing the interatrial septum of the heart"** ('669 patent: claim 12)
9. **"percutaneous"** ('313 patent: claims 1, 10)
10. **"clip body" / "body of the clip"** ('313 patent: claims 10, 16)
11. **"distal end"** ('313 patent: claim 10)

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3 Dated: May 4, 2020

Respectfully submitted,

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6 By: /s/ S. Giri Pathmanaban

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ATTESTATION

Pursuant to Civil Local Rule 5-4.3.4(a)(2)(i), I S. Giri Pathmanaban, attest that I have obtained concurrence and authorization from the other signatory.

Dated: May 4, 2020

By /s/ S. Giri Pathmanaban
S. Giri Pathmanaban